

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

E. ALLEN REEVES, INC.

Plaintiff

V.

MICHAEL GRAVES & ASSOCIATES, INC.

Defendant

MICHAEL GRAVES & ASSOCIATES, INC.

Third Party Plaintiff,

V.

DAVID CHOU & ASSOCIATES;
KELTER & GILLIGO CONSULTING
ENGINEERS;
FISHER MARANTZ STONE, INC.;
THE ARTS COUNCIL OF PRINCETON;
SAL ARNONE; JOHN DOES 1-50,

Third Party Defendants,

ARTS COUNCIL OF PRINCETON

Counterclaimant,

V.

MICHAEL GRAVES & ASSOCIATES, INC.

Counterdefendant,

MICHAEL GRAVES & ASSOCIATES, INC. MOTIONS IN LIMINE

TO: Jason A. Copley, Esquire
Matthew A. Gioffre, Esquire
Wendy Bennet, Esquire
Cohen, Seglias, Pallas, Greenhall & Furman
United Plaza, 19th Floor
30 South 17th Street
Philadelphia, PA 19103
Counsel for E. Allen Reeves, Inc.
Counsel for the Arts Council of Princeton on the Counterclaim

PLEASE TAKE NOTICE that on October 24, 2014 at 9:00 a.m. or as soon thereafter as counsel may be heard, the undersigned, attorney for the Defendant/Third Party Plaintiff, Michael Graves & Associates, Inc. will move before the above-mentioned court at the U.S. District Court of New Jersey, in Trenton, New Jersey, for an Order to Bar:

1. PLAINTIFF'S EXPERT FRANK GATLIN FROM TESTIFYING AS TO ANY ALLEGED DAMAGES
2. PLAINTIFF'S CLAIM FOR EICBLEAY DAMAGES
3. EXPERT TESTIMONY OF KEVIN FOLEY AND ALAN HAIBACH ON BEHALF OF PLAINTIFF AND TO BAR TESTIMONY OF MARK GERMOND AND JEFF NATHANSON ON BEHALF OF ARTS COUNCIL OF PRINCETON AS TO DAMAGES
4. DOCUMENTS SERVED BY REEVES AND ACP ON DECEMBER 23, 2013
5. THE ACP LOST PROFITS CLAIM OF ACP
6. THE ACP CLAIM FOR PSEG AND WATER UTILITY CHARGES
7. THE REEVES CLAIM FOR LABOR COST ESCALATION
8. MICHAEL GRAVES & ASSOCIATES, INC.'S MOTION IN LIMINE TO ADDRESS TO RENEW THE MOTION TO DISMISS THE DELAY DAMAGE CLAIMS OF REEVES AND ACP THAT ARE DERIVATIVE OF THE OPINIONS OF THEIR EXPERT NAVIGANT AS NAVIGANT HAS NOT PROVIDED ANY EXPERT OPINIONS TO SUPPORT THAT THE ENGINEERING PORTION OF THE INTEGRATED A/E CONTRACTED DOCUMENTS BREACHED THE PROFESSIONAL STANDARD OF CARE

by E. Allen Reeves and the Arts Council of Princeton at trial. Movant will rely upon the attached Certification, Brief, and Exhibits in support of this Motion. Movant has annexed a proposed form of Order.

MARSHALL, DENNEHEY, WARNER,
COLEMAN & GOGGIN

By: /s/ Raymond J. Michaud
RAYMOND J. MICHAUD, ESQ.
Attorney for Defendant/Third Party Plaintiff
Michael Graves & Associates

DATE: October 10, 2014